CITY COUNCIL, CITY OF ROCKFORD JOURNAL OF PROCEEDINGS JANUARY 18, 2011 COUNCIL CONVENED AT 6:11 P.M.

- 1. The invocation was given by Pastor Wayne Ahrens, Five Gates Church/Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
- 2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Timm, Beach, Elyea, Robertson -12-

Absent: Beck, McNeely (late) -2-

3. Alderman Mark moved to accept the Journal of Proceedings of January 10, 2011, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Beck, McNeely absent).

PUBLIC PARTICIPATION

4. Prophet Yusef wished Jim Ryan, Chief Epperson and Alderman Mark a happy birthday and spoke about the war on poverty.

Alderman McNeely joined the meeting at 6: 14 pm

PETITIONS AND COMMUNICATIONS

- 5. Alderman Thompson-Kelly submitted a Memorandum from Ron Schultz, City Attorney, regarding the RACVB Quarterly Report. Referred to Planning and Development Committee.
- 6. Alderman Johnson submitted the Rockford Traffic Commission Minutes from the meeting held on January 12, 2011. Referred to Code and Regulation Committee.
- 7. Alderman Johnson submitted an e-mail from Dick Cordonnier commending the Public Works Department and snow removal team for the great job plowing this past weekend. Referred to Public Works Department.
- 8. Alderman Johnson submitted an e-mail and pictures from Peter Johnson, concerning the snow removal crews dumping plowed snow in front of his house and on his sidewalk. Referred to Public Works Department.
- 9. Alderman Jacobson submitted an e-mail from Rodger Day requesting the street lights in his neighborhood cleaned and repaired. Referred to Public Works Department.
- 10. Alderman Durkee submitted a letter from Fran Feeney, President Edgewood Lakes Condominium Association, concerning repair and maintenance of public easements on private land. Referred to Public Works Department.

- 11. Alderman Mark submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding City-State Agreement: Morgan Street Bridge. Referred to Finance and Personnel Committee.
- 12. Alderman Mark submitted a Memorandum from Jim Ryan, City Administrator, regarding Report from Baker Tilly & recommendations of the Outsourcing Committee. Referred to Finance and Personnel Committee.

NEW COMMITTEE REPORTS

- 13. Alderman Hervey read a Finance and Personnel Committee Report recommending the award for Sale of Property at 1411 Charles St. be made to the sole bidder, Swedish American Foundation, of Rockford, Illinois for their bid of \$3,900. LAID OVER.
- 14. Alderman Hervey read a Finance and Personnel Committee Report recommending that the Extension of the Interim Credit Line proposed by PNC Bank be accepted and the Legal Director be authorized to prepare the appropriate ordinance. LAID OVER.

2011-021CR

15. Alderman Hervey read a Finance and Personnel Committee Report recommending the award of a State Contract for the Purchase of Glass beads be made to Flex-O-Lite Corp. of St. Louis, Missouri in the amount of \$11,748. The funding source is Traffic Division Operating Budget.

Alderman Mark moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Beck absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Beach, Timm, Elyea, McNeely, Robertson -13-

Nays: -0-Absent: Beck -1-

16. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of January 18, 2011 in the amount of \$2,137,870.54. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Beach, Timm, Elyea, McNeely, Robertson -13-

Nays: -0-Absent: Beck -1-

17. Alderman Johnson read a Code and Regulation Committee Report recommending the approval of the amendments to the Code of Ordinances, Chapter 16, Motor Vehicles and Traffic. The Legal Director shall prepare the necessary amended Ordinance. LAID OVER.

OFFICERS REPORTS

- 18. Mayor Morrissey appreciates the outstanding effort with snow removal efforts this past 24 hours of operations. He thanked community members for their patience and any concerns may be directed to Tim Hanson, Director of Public Works Department or himself.
- 19. Mayor Morrissey mentioned participating in a few of the many Martin Luther King Jr. events this past weekend and thanked all the organizations for their efforts to celebrate his legacy in our community and offered our commitment to continue his vision and dream.
- 20. Mayor Morrissey reported Chinese President Hu Jintao is visiting the United States and will be in Chicago this week and mentioned speaking with a reporter today from the *Chicago Tribune* about Rockford's success in attracting Chinese investment, Wanxiang American Corporation, and its continued efforts inviting global business to invest in Rockford.
- 21. Mayor Morrissey advised he attended the Inauguration in Springfield last week and mentioned the discouraging news about the tax increase that passed.
- 22. Mayor Morrissey announced the North West Illinois Building Trades, representing approximately 17 different construction trades, has pledged their support of \$50,000 to the Embry Riddle Aeronautical University Scholarship Program, raising the total over \$600,000 in pledges.
- 23. Alderman Thompson-Kelly thanked Mayor Morrissey for his welcoming remarks at the Martin Luther King Jr. event and thanked the Minister's Fellowship for hosting the event. She also commended the event speaker on her topic of racial issues and racism and suggested council members have a round table discussion regarding racial issues.
- 24. Alderman Thompson-Kelly announced the time change of the Legislative Lobbying Committee to 4:30 pm on Monday, January 24th. A list of lobbying items will be compiled and she requested the aldermen provide her with suggestions.
- 25. Alderman Johnson reported the Rolling Green Association quarterly meeting was well attended and was very informative with presentations from the Public Works Department and Betty Caldwell.
- 26. Alderman Johnson announced the Legal Follies are back with performances this Friday and Saturday at the Sullivan Theatre, tickets are \$30.00.
- 27. Alderman Johnson declared support for her favorite football team, "Go Packers".
- 28. Alderman Hervey announced the 5th Ward meeting will be held in conjunction with a community-wide open house regarding the South Main Street revitalization project, funded by IDOT on January 27th at 6:00 pm at the CCS Youth Build Headquarters, 917

South Main Street. She encouraged all citizens to attend the open house. She declared "Go Bears".

29. Alderman Jacobson poked fun at Alderman Johnson about the "Packers" and thanked Tim Hanson, Director of Public Works, and snow and ice crews for a great job with snow removal efforts.

UNFINISHED BUSINESS

2011-022CR

30. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the Award of Contract with Harn Construction Co, of Freeport, Illinois for Well U10 Sidewalk addition in an amount not to exceed \$29,500. Funding for the project will come from the Water Division Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Beach, Timm, Elyea, McNeely, Robertson -13-

Nays: -0-Absent: Beck -1-

2011-023CR

31. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of Task Order #16 with MWH Americas, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$168,790. The task order will be completed under a Master Agreement with MWH Americas, Inc. Funding for the project will come from IEPA funding and \$25 million G.O. Limited Tax Debt Certificates, Series 2008. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Beach, Timm, Elyea, McNeely, Robertson -13-

Nays: -0-Absent: Beck -1-

2011-024CR

32. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending that the tax levied under the Bond issues referred to on the attached sheet be abated in the amounts indicated. The Legal Director is hereby authorized to prepare the required Abatement Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Beach, Timm, Elyea, McNeely, Robertson -13-

Nays: -0-Absent: Beck -1-

NEW BUSINESS

33. Alderman Johnson introduced and read an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to reduce the required four feet and six inch side yard setback to three feet and six inches long the west property line and;

Variation to reduce the required thirty feet rear yard setback to two feet and eight inches along the south property line in a R-2, Two0Family Residential Zoning District at <u>623 16th</u> Avenue. Approval is subject to the following conditions:

- 1. Meeting all applicable fire and building codes.
- 2. Submittal of a building permit for Staff review and approval.

Approval is based on the Findings of Fact. LAID OVER.

- 34. Alderman Johnson introduced and read an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to allow an eight foot privacy fence along the back of the petitioner's properties within the front yard along Spring Creek Road in an R-1, Single-Family Residential District at 6336, 6358, 6382, 6394 Brigantine Lane. Approval is subject to the following conditions:
 - 1. The applicant shall work with the Traffic Engineer to ensure that the fence will not be located within a sight triangle prior to issuance of a fence permit.

Approval is based on the Findings of Fact. LAID OVER.

- 35. Alderman Johnson introduced and read an Ordinance amending Article 63, of the Zoning Ordinance of the City of Rockford for a Special Use Permit for sales of heavy and medium duty trucks in an I-1, Light Industrial Zoning District at 3510 Merchandise Drive. Approval is subject to the following conditions:
 - 1. Submittal of landscape plan for Staff review and approval conforming to street frontage shade tree requirements.

Approval is based on the Findings of Fact. LAID OVER.

36. Alderman Johnson introduced and read an Ordinance amending Chapter 3, Section 3-55, of the Code of Ordinances of the City of Rockford that upon all other requirements of the Liquor Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

Abigail L. Shepp d/b/a Perry Rock located at <u>6957 Olde Creek Road</u>, <u>Suite 100</u> for the sale of liquor by the drink in conjunction with a restaurant and outdoor patio is hereby approved. Approval is subject to the following conditions:

- 1. Meeting all applicable Building and Fire Codes.
- 2. Compliance with all City of Rockford Liquor Codes.
- 3. The sale of alcoholic beverages shall be in conjunction with a restaurant.
- 4. The hours of operation will be limited to 11:00 A.M. to 2:00 A.M. Monday through Saturday.
- 5. The hours of operation will be limited to 11:00 A.M. to 12:00 A.M. on Sunday.
- 6. The restaurant shall be limited to 40% liquor sales as indicated in Business Plan Exhibit G.
- 7. The restaurant shall not have a cover charge.

- 8. The restaurant shall not have a dance floor greater than 150 square feet.
- 9. The restaurant shall not have any DJ outdoors.
- 10. The restaurant shall not have any live entertainment outdoors.
- 11. The sale of liquor is limited to Suite 100 and adjacent east side patio; any future expansion will require a modification of the liquor license.
- 12. The operation of the business will follow the local noise ordinance.
- 13. No additional signage shall be placed on the property; new signage shall replace the existing only.

LAID OVER.

- 37. Alderman Johnson introduced and read an Ordinance amending Article 63, of the Zoning Ordinance of the City of Rockford for a Special Use Permit for sales and service of cycle engines, snowmobiles, etc., in a C-2, Limited Commercial District at 4800 Auburn Street. Approval is subject to the following conditions:
 - 1. The Special Use Permit is limited to sales and service of cycle engines, snowmobiles, etc., indoors with no outdoor storage or sales.
 - 2. Installation of two (2) shade trees along Auburn Street by May 1, 2011.
 - 3. All noise or repair inside building.
 - 4. Hours of operation Monday-Saturday 8:00 am 6:00 pm.

Approval is based on the Findings of Fact. LAID OVER.

2011-008-0

38. Alderman Johnson introduced and read an Ordinance approving the annexation of the property commonly known as 1204 Soper Avenue.

Alderman Johnson moved to suspend Rule 11, seconded by Alderman Hervey. MOTION PREVAILED (Ald. Beck absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,

Johnson, Beach, Timm, Elyea, McNeely, Robertson -13-

Nays: -0-Absent: Beck -1-

39. Upon motion duly made and seconded, the meeting was adjourned at 6:52 p.m.

Respectfully submitted,

Diane Reed City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS City Council Chambers, 2ND floor City Hall 425 E. State Street, Rockford January 24, 2011 6:00 P.M. AGENDA

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing
- Public Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)

I. NEW COMMITTEE REPORTS TO BE READ IN JANUARY 24, 2011

A. CODE AND REGULATIONS

- 1. Beck Traffic Repealing the 20 MPH School Speed Limit on John Street from Church Street to Court Street, thus reinstating a 30 MPH Speed Limit.
- 2. Beck Traffic No Parking Anytime on the east side of South Main Street from Mill Street to Kent Street.
- 3. Beck Restricting parking to Three Hours Parking on both sides of 1st Street from State Street to 105 feet north of State Street, repealing the existing Two Hours Parking restriction.
- 4. Beck Traffic No Action on the following items:
 - 1. Mid-block Pedestrian Crossing approximately 125 feet east of Fremont Street
 - 2. Yield or Stop sign control at the intersection of Greenwood Avenue to North Rockford Avenue.
 - 3. Repeal the No Parking Anytime Ordinance for the north side of 21st Place between 8th Street and 9th Street.
 - 4. Stop sign control at the intersection of Centennial Trail and Tulip Lane.
- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER JANUARY 18, 2011

- 1. Beck Code and Regulation Recommending the approval of the amendments to the Code of Ordinances, Chapter 16, Motor Vehicles and Traffic. The Legal Director shall prepare the necessary amended Ordinance.
- 2. Hervey Finance and Personnel Recommending the award for Sale of Property at 1411 Charles St. be made to the sole bidder, Swedish American Foundation, of Rockford, Illinois for their bid of \$3,900.
- 3. Hervey Finance and Personnel Recommending that the Extension of the Interim Credit Line proposed by PNC Bank be accepted and the Legal Director be authorized to prepare the appropriate ordinance.

III. ORDINANCES LAID OVER JANUARY 18, 2011

- 1. Beck Ordinance Amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to reduce the required four feet and six inch side yard setback to three feet and six inches long the west property line and; Variation to reduce the required thirty feet rear yard setback to two feet and eight inches along the south property line in a R-2, Two0Family Residential Zoning District at 623 16th Avenue. Approval is subject to the following conditions:
 - 1. Meeting all applicable fire and building codes.
 - 2. Submittal of a building permit for Staff review and approval.

Approval is based on the Findings of Fact.

- 2. Beck Ordinance Amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to allow an eight foot privacy fence along the back of the petitioner's properties within the front yard along Spring Creek Road in an R-1, Single-Family Residential District at 6336, 6358, 6382, 6394 Brigantine Lane. Approval is subject to the following conditions:
 - 1. The applicant shall work with the Traffic Engineer to ensure that the fence will not be located within a sight triangle prior to issuance of a fence permit.

Approval is based on the Findings of Fact.

- 3. Beck Ordinance Amending Article 63, of the Zoning Ordinance of the City of Rockford for a Special Use Permit for sales of heavy and medium duty trucks in an I-1, Light Industrial Zoning District at <u>3510 Merchandise Drive</u>. Approval is subject to the following conditions:
 - 1. Submittal of landscape plan for Staff review and approval conforming to street frontage shade tree requirements.

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4. Beck - Ordinance - Amending Chapter 3, Section 3-55, of the Code of Ordinances of the City of Rockford that upon all other requirements of the Liquor Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

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- 5. Beck Ordinance Amending Article 63, of the Zoning Ordinance of the City of Rockford for a Special Use Permit for sales and service of cycle engines, snowmobiles, etc., in a C-2, Limited Commercial District at 4800 Auburn Street. Approval is subject to the following conditions:
 - 1. The Special Use Permit is limited to sales and service of cycle engines, snowmobiles, etc., indoors with no outdoor storage or sales.
 - 2. Installation of two (2) shade trees along Auburn Street by May 1, 2011.
 - 3. All noise or repair inside building.
 - 4. Hours of operation Monday-Saturday 8:00 am 6:00 pm.

Approval is based on the Findings of Fact.

- Motions and Resolutions
- **IV. NEW BUSINESS** (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).

- 1. Hervey Ordinance Recommending the tax levied under the Bond issues referred to on the attached sheet be abated in the amounts indicated.
- * same action taken before
- Adjournment

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POSSIBLE ADDITIONAL ITEMS:

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

CODE AND REGULATION COMMITTEE

Monday, January 24, 2011, 5:15 p.m.

Conference Room A, City Hall 2nd floor (north room)

AGENDA

- 1. C & R 11-05 January Traffic Commission Minutes
- 2. C & R 11-04 Closed Session for Purposes of Pending Litigation and/ or Land Acquisition

FINANCE AND PERSONNEL COMMITTEE

Monday, January 24, 2011, 5:15 p.m.

Conference Room B, City Hall 2nd floor (south room)

AGENDA

- 1. Purchasing and Vouchers
 - A. Change Order: Right-of-Way Acquisition Services for 2411 West State St. Info only
 - B. Resolution to take bids
 - C. Resolution for Improvement under the Illinois Highway Code for Morgan Street Bridge
 - D. Resolution for Improvement under the Illinois Highway Code for West State Street Corridor Land Acquisition
 - E. Vouchers
- 2. City-State Agreement: Morgan Street Bridge
- 3. Report from Baker Tilly

4. 2011-2015 Capital Improvement Program

PLANNING AND DEVELOPMENT COMMITTEE

Monday, January 24, 2011, 5:30 p.m. CD Conference Room, City Hall 2nd floor AGENDA

1. Memorandum from Ron Schultz, City Attorney, regarding RACVB Quarterly Report dated December, 2010.

LEGISLATIVE LOBBYING COMMITTEE

Monday, January 24, 2011, 4:30 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

- 1. Support of Illinois Municipal League Legislative Initiatives
- 2. Support of City Staff Initiations
- 3. Absentee Slum Landlord Condemned Houses
- 4. 2011 Legislative Agenda Planning
- 5. Legislator's Reception in Springfield
- 6. 2011 Lobbyist Contract with McGuire Woods
- 7. New Business

COMMITTEE MEETING OF THE WHOLE

Saturday, January 22, 2011, 9:00am-11:00am
Conference Room B, City Hall 2nd floor (south room)
AGENDA

1. 2011-2015 Capital Improvement Projects (CIP)